824 of God or some other holy word written on every leaf; and the baraka
778 of its oil (Arab. zit; Berb. zzit [Igliwa], zzest [Temsaman]) may be so strong as to make the oil increase by itself and even become dan-
[842] gerous. It is drunk by men in order to enhance their procreative power
[843] (Ait Waryager), and pregnant women eat olives so that the child shall be good-looking (Tangier).

[109] Baraka is ascribed to the oleander, especially to the so-called "sultan of the oleanders" or "sultan of the oleander".

824 In various tribes it is the custom for scribes to write some words
755 from the Koran or leaves of a "sultan of the oleander" (Tsul,
778 Temsaman, Ait Waryager), or even of an ordinary bush of the same species (Ait Sadden) for sick people, who burn the leaves, let the smoke pass underneath their clothes, and inhale it.

[110] At Midsummer and asura there is miraculous virtue in a large number of vegetable species, and some of them have magic or medicinal qualities on other occasions as well. In the Hiaina sendgura (Lavandula stœchas or Teucrium Chamœpitys; also called sengdura, sengura, and, in the Berber of the Ait Yusi, tof ttarba) which has been gathered in the morning before the sun has risen and the hoopoe has made itself heard, especially on New Year's day, is said to contain one hundred and one medicines; it is taken internally by persons suffering from dysury, it is applied externally to the head in the case
[231] of a headache, and it is given in milk to dogs troubled with a cold or, on the 17th of May (mut l-ard), to savage dogs to make them tame. A Rifian from the Ait Waryager said that it contains seventy medicines,
842] and that it is used by women as a remedy for barrennes; it is dried in the sun, pounded, and mixed with honey, and then taken in the morning on an empty stomach.

841] [111] Charcoal made of lentisk (Pistacia lentiscus; Arab. dro; Berb. fadis [Temsaman] or fadis [Ait Waryager]) is eaten by women suffering from irregular appearance of blood.

778 [112] The Ait Waryager use the fresh leaf of a palmetto (digazdand)
824 as a means of getting back a stolen horse, mule, donkey, ox, or cow.
696 Some scribes recite over it something from the [113] Koran, knot seven of its tips, and make fatha, after which they give the leaf to the owner of the animal. He ties it to the peg in the yard to which the animal used to be tethered; and this will have the effect that the thief will be unable to sell the animal. A friend of his will then go

696
778 to its owner and propose to bring it back to him if he pays a small
824 sum for it; and he will of course accept the proposal. Some other rites in which palmetto leaves are used will be mentioned below.

824 There is also baraka in walnut root or bark (swak), with which
302 women paint their lips and teeth brownish, as in antimony (Arab. khul; Berb. tazult [Ait Warain], tazult [Ait Sadden], dazurt [Ait Waryager], tazuts [Temsaman]), with which they paint their eyes
[171] black. These practices, as well as the use of henna, have presumably come from the East.

778 [114] As there is baraka in many animals and trees and plants,
823 there is also baraka in the ground (Arab. ard; Berb. akal [Igliwa], tamazirt [Ait Sadden], tamort [Ait Warain], damort [Ait Waryager], tamoa [Temsaman]), which gives corn and fruit to man and grass to animals. It is said in the Koran that God placed on the earth the firm mountains which tower above it and blessed it, and "apportioned therein its food in four days alike for those who ask". Nay, he created man himself from earth; hence to beat the ground is to beat one's own mother. If you do so, it will call for your mother and father, wanting them to die—it will cry out, Ara ummak ara buk; or it will punish you by pressing you in your grave. You should also avoid stamping on the ground, you should walk quietly (Andjra). Anybody who pours hot
[176] water on the ground is liable to be hurt by the mwalin l-ard, "the masters of the ground", that is, the jnun living in it; and he who burns earth—for making lime or bricks or tiles or earthenware—will never succeed in making money. On the other hand, the ground gives blessing to him who sits on it; there is rahma, "mercy", in it. The
[172] earth rests on a horn of a bull, the bull stands on a fish, and the fish is in the water; and it is also said that the water is on the wind and the wind on the empty space and the empty space on something which is only known to God. An earthquake (zenzla) is caused by the bull changing his burden from one horn to another. These beliefs have been imported from the East; the story of a bull supporting the earth and causing earthquakes seems to be spread all over the Moslem world, though there are many different versions of it.

[115] Among the mineral products of the earth there are many which are supposed to possess miraculous power, and some of them are directly said to have baraka.

627 one of the enemy's men who was with them when the sacrifice was
728 made and therefore could explain its object to his tribesmen. Peace is concluded on condition that they pay a certain sum of money, perhaps one or two thousand dollars, to the victorious tribe; but neither in this nor in the case previously mentioned is the peace of long duration—in a few months or, at most, in a couple of years the hostilities commence afresh. The Rifians make peace when their food is scarce; when they have much corn they fight.

574 [537] The duty of hospitality is also closely connected with the belief in the 'ar and the compulsion it carries with it. A guest is in the 'ar of his host, in accordance with the principle, "He who is in your house is in your 'ar".

[538] Among the Braber of the Ait Yusi and Ait Sadden, if two or three unknown strangers arrive on horseback, an animal is killed for their entertainment; but the lonely wanderer is also treated as a guest (anbg i, plur. inbg aun), spending the night in the mosque if he has no acquaintance in the village. The same is the case among the Rifians of the Ait Waryager; some one of the villagers brings food to the stranger and eats with him in the mosque if the fqi is not there, as somebody must eat with the guest. If the stranger knows any person in the village he is taken to his house, unless he has gone there in the first place.

It is considered necessary that the host should do his best to please his guest. The latter is received with a friendly welcome, and in the case of distinguished guests the greetings may be most profuse. The host sets before his guest all the food which has been prepared, and he should do so at once. If, for example, four fowls have been killed, they should all be served up; for l-'ain t at akul, "the eye is eating" (Fez), that is, the guest is delighted to see much food before him even though he cannot eat it all.

842 [559] Among the Ait Waryager parents who have lost a child de-
765 posit its shirt at a shrine as 'ar in order that they shall be blessed with another child.

776 [561] Mosques may also be asylums for refugees, who are there in
696 the 'ar of God and Sidna Jebril, the master of mosques. Among the Ait Waryager, I was told, a person who has fled to the mosque of a village is considered to be in the 'ar of the villagers and is therefore sheltered by them, whereas one who has fled to the shrine of a saint will be unscrupulously killed.

695 At other times they decide to submit the
696 resolution to the clan council on the next market day; but when the
623 judgment, which is both swift and free of charge, has been rendered, the individual responsible can only comply with the council's decision; and he must do so not only more than rapidly, but virtually explosively, or be sentenced by his neighbors and his peers. If he resists, his only recourse is to take up arms, as everybody else is now after him, and this in itself obliges him to do so. The proceedings are rapid and gratuitous, as aforestated, except if experts are called upon to intervene; they are given an honorarium, the amount of which is determined by the custom of the tribe in question, and consists of such and such a percentage of the value of the appraised object or the object of the litigation[32].

692 Thus, true jural procedure, for the Rifian, is to render public
695 any offense or injury he has suffered, and to gain adherents to his point of view. First his family or kin group wants to intervene on his behalf, then his social grouping (properly: his lineage), and finally his liff, his last recourse. This multiplies the various contingencies and unsuspected turns the case may take ad infinitum, and tends to render useless any reclamations against an offender who is more powerful than the injured party. The latter may not take any action against him, but will often afterwards wait in ambush for him in order to redress the wrong! It is a procedure which.....awakens manliness and courage.....

[671] A good example of the executive procedure in criminal law is the qanun
[613] between dharfiqin[33].

000 Bshara, or procedure of recuperation[34]. (No text here whatsoever: translator's note.)

000 latter's kinsmen before he can get away. Even in this case, the killer could generally get off if he were able to pay a 2000-duro fine (rhaqq) to the imgharen on the spot, if he was lucky enough to be caught by them and not by his victim's agnates.

[114] [464] [167] 52--Why should the Rifians have been acquainted with the qanums of the Algerian Kabyles? Granted that Rifian labor migration to Algeria, prior to 1955, was very extensive, it must be remembered that Rifians went to the plains and vineyards of western Algeria (not to Kabylia) to work and send remittances to their families, not to compare notes with their fellow Berbers in Kabylia!

53--This is entirely true, though we know of one case in which, in 1926, after 'Abd al-Krim's defeat, a man from one of the mountain clans of Aith Waryaghar was beaten to death, by order of a lowland qaid from the same tribe, for refusing to hand two rifles in his possession over to the Spaniards.

[171] 54--In the Central Atlas, half ddiyit (blood money to victim's agnates) is paid by a man for shooting at someone else and missing him, but full ddiyit for taking aim and not shooting (E. Gellner, "The Concept of Kinship", Philosophy of Science, vol. 27, no. 2, 1960, pp. 187-204.) In other words, what is punished is the intent to kill, and on this subject Blanco has some interesting remarks to make in the chapter on the qanums of Dhmasind and of Aith 'Abd Allah in La Ley Rifeña (pp. 41-3, 47, 50). In the Rif, however, this is manifested in a different way under different circumstances: ddiyith is paid to the victim's family, under normal conditions, by the killer, who must also pay rqisas to the victim himself in case of wounding. The amount of the ddiyith is anything up to 1200 duros, while that of the rqisas, depends on the nature of the wound. However, there is no question at all of either ddiyith or rqisas being paid if the intended victim has not been harmed. This is the case if the attempted murder has taken place outside the market; but if it has taken place on market day and within the market (even though there is again an exemption from ddiyith and rqisas) the rhaqq or market fine must be paid in full (2000 duros) to the imgharen, because the would-be assassin is an amsasar (pl. imsasaren) or trouble-maker who has knowingly tried to "break" the market by flouting its regulations.

681 682 696 [613] 55--In case of murder, only the murderer himself went into exile. He did so immediately after the crime, so that he would not be killed in turn by his victim's agnates. Exile meant that he sought refuge, as an adhrib (pl. idhriben), (derived from Arabic talib, "enemy") in the territory of another tribe, whose members sheltered and protected him until such time (if ever) that he could go home. On occasion, as Blanco suggests, whole lineages have been forced into exile; Coon, in Flesh of the Wild Ox (pp. 74-108), gives an example from the Igzinnayen. However, this particular instance was the result of a decree of the Aitharba'in after a long and bitter feud; and as such, it was exceptional. The rule was that only the murderer fled; he was not accompanied by nine of his agnates, as in the Central Atlas (even though these latter returned after three days in order to start making overtures for payment of ddiyit to the dead man's agnates).

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

681 A murderer in the Rif had to stay in exile until such time as his
682 victim's family would consent to accept bloodmoney, and this generally
meant at least one or two years, by which time their desire to kill
696 him might have cooled down. If they were eventually persuaded to accept
this sum, the murderer's own agnates, at home, went to them and, in the
[182] presence of a holy man, sacrificed a goat to them. After the goat was
eaten, the terms of the ddiyith were discussed and arrived at; and only
after it was paid could the murderer return home. Furthermore, if he
682 had committed his crime on a market path or in the market itself, on
443 market day, as aforementioned, he had to pay an entirely different sum
[114] (which Blanco often confuses with the ddiyith), the rhaqq or market fine
(called r-insaf in the Eastern Rif), consisting of 1000 duros for murder
on a path leading to the market and 2000 duros for a murder or any other
offense grave enough to upset the peace of the market, in the market
itself. This fine was only levied on market day, and payable to the
imgharen of the market. (If a murder was committed away from a market
path or from the market on a day other than market day, there was no
question of fine-paying, which was instituted purely to keep peace in
the suq.) It could be paid in money and/or in kind, and it usually
meant that the murderer had to sell the bulk of his property to raise
the necessary sum, which he handed over at the same time as he did the
ddiyith; but if he could not or would not pay it (and it was a sum
which was prohibitively high), the imgharen descended on him in a body
and burned his house, trees and fields. In addition, many people re-
682 fused to accept the ddiyith, which meant permanent exile for the mur-
628 derer. The imgharen, however, could not touch his property as long as
he was in exile; though he was expected to pay in full if his victim's
family relented and let him return. However, a murderer whose opinion
of himself was so elevated (and there were many such in the Rif) that
he refused to flee, refused to pay the ddiyith to the dead man's ag-
nates and (perhaps worst of all) refused to pay the rhaqq to the
imgharen could expect no mercy; he was attacked by the enraged kinsmen
of his victim and by the council members whose authority he had flouted,
as well--and the feud was on. His own agnates, under these circum-
stances, if they helped him (as they always did) could also expect to
have their own houses and property burnt to cinders.

681 56--There was some variation for minor offenses, but the fines for
682 murder, always with the same careful stipulation of time and place of
commission (market path or market on market day) were absolutely stan-
dard throughout the Central Rifian area.

[671] 57--There is some disagreement on this question. In the qanun of the
[114] Aith 'Abd Allah, cited by Blanco in La Ley Rifeña (p. 47), it is ex-
pressly stated that if two people commit a murder on a path leading
to the market, each of them is fined 1000 duros. Our own informants,
[124] however, stated that the number of people participating in a murder is
immaterial; what counts is the number of dead, each one of whom is
[628] assessed at either 1000 or 2000 duros, always according to where the
murder took place, a head. In the same way, after a feud is over and
a truce has been arranged, the number of dead on each side are counted
up, and the side with the greater number receives excess ddiyith from

616 to a far earlier incidence of tribal unity, and on a much wider scale,
619 than the events precipitated by Bu Hamara's invasion. Blanco's listing,
648 however, is incomplete, for this feud encompassed not only the Rif,
[114] but all of Northern Morocco, centering, supposedly, on the Ghumara and
[113] Sanhaja, each of which had allies both to the west (Jbala) and to the east (Rif). There are other listings available, the most complete of which may be found in Montagne, op. cit., 1930, map facing p. 208. See also Coon, op. cit., 1931, pp. 17-8, and Jesus Ortoneda Jiménez, Estudio de la Region del Rif, Ceuta, 1930, p. 37, as well as Vademecum de Intervenciones Militares, Melilla 1928. None of these listings is in complete agreement with any of the others.

000 37--According to Coon, op. cit., 1931, p. 18, the Igzinnayen were not in the Ghumara liff, but in the Sanhajan one, and, according to his informants, the fact that the Aith Waryaghar and the Igzinnayen were both on that side brought the Sanhaja the ultimate victory.

38--Until 1906, Bni Gmil and Mistasa formed a single tribe. See Andrés Sánchez Pérez, Vademecum del Territorio del Rif, 1946, p. 81.

39--Bni Waryagil is a small tribe in the southern Jbala, and Rifian informants have all disclaimed any connection between it and the very much larger Aith Waryaghar of the Rif. Literate informants, moreover, point to the difference in orthography: the name of the Rifian tribe is written in Arabic with the letter ghain, while that of the Jbalan group is written with the gaf (kaf with three points above it).

40--It does indeed!

[114] 41--Why should it be necessary to "explain its affinities to the European type"? One feels that liffs, like any other institutions, can only be "explained" in their own terms!

[696] 42--What Blanco presumably refers to here, in an oblique manner, is, among other things, the fact that murderers must flee their own tribes.

[114] 43--It seems to us that Blanco is looking at this aspect of the problem upside down. If anything, an alliance and war of the Sanhaja-Ghumara type probably had its origins in the Rifian system discussed in note 18, rather than the other way around. It is, of course, also possible that problems and/or notions of this kind cut both ways.

44--This term refers to the western maritime tribes of the Rif, located around the early Islamic center of Badis.

616 45--There are three basic errors in this sentence. First, the Aith 'Abd
619 Allah had only an ad hoc liff arrangement with the Ibuqquyen; this was
114 directed against their own enemies within the Aith Waryaghar, namely, the Aith Yusif w 'Ari and the Aith Hadhifa, the former of whom, in particular, the Ibuqquyen could never forgive for having accompanied Bushta al-Baghdadi's punitive expedition into their tribal territory. There was no question whatsoever of an alliance with either the Aith Yittuft or the Bni Bu Frah. The same applies to the Aith Bu 'Ayyash, who were also (but very tenuously) allied, through the transitive principle, to the Axt Tuzin clan of Axt Tsafth, because their "brothers" and enemies the Aith 'Adhiya were in liff (again through the transitive principle)

6. QANUN OF THE AITH 'ABDALLAH[45] (AITH WARYAGHAR)

A) Qanun:

671 Praise be to the One God. The will and eternal power of Our
443 Lord having decided thus, the congregation--in the Tuesday Market
[778] (Suq ath-Thulatha) (situated) at 'Ain Tihalalin[46], in the vicinity of (the tomb of) the holy emanator of blessings Sidi 'Amran[47]--of its owners, those of the clan of Bani 'Abdallah. (The latter) convened
623 (in the abovementioned market) with the idea of coming to agreement on
443 their criteria and on the purity of their actions in behalf of the
692 common good of all; and, as a consequence, they decided the amount of
681 the fines to be imposed inasmuch as there should occur within the abovementioned market, or, indeed, outside it on the path (which leads to it), (Blanco: note a) incidents, premeditated or not, through error or imprudence, such as woundings and murders (which might happen) through gunshots, knifings, strangulations and stonings, (or, indeed),
682 pillaging and sacking. (Blanco: note b) To anyone who kills in the
443 interior of the market and is caught (literally, "had"), rashsha' shall
[696] be applied to him (i.e. he shall be shot). If he has not been captured owing to having fled to another tribe (literally, "other tribes"), (they shall impose upon him a fine of) 2000 duros and his house shall be burned down to its foundations. (If he should kill) on the path (which leads to the market) he shall also pay (a fine of) 2000 (duros). Who-
683 ever should wound (another), (he shall be fined) 1000 duros. Whoever (shoots) and misses (his target), (he shall pay a fine of) 500 duros.
682 (Blanco: note c) Whoever of the Bani 'Abdallah should commit murder on Tuesday (i.e. on market day, the day of the suq) within the